

**VERDICT FORM**

Based on the evidence admitted at trial and in accordance with the instructions as given by the Court, we, the jury, unanimously agree to the answers to the following questions:

**I. Patent Infringement**

A. Direct Infringement: Has Brocade proven it is more probable than not that A10 infringed the following claims?

- |    |                             |              |          |
|----|-----------------------------|--------------|----------|
| 1. | Claim 25 of the '500 patent | Yes <u>X</u> | No _____ |
| 2. | Claim 13 of the '009 patent | Yes <u>X</u> | No _____ |
| 3. | Claim 24 of the '009 patent | Yes <u>X</u> | No _____ |
| 4. | Claim 1 of the '195 patent  | Yes <u>X</u> | No _____ |

**B. Indirect Infringement—Inducing Infringement**

Has Brocade proven that it is more probable than not that: (a) A10 actively encouraged or instructed another person on how to use a product in a way that infringes any of the patent claims listed below; (b) A10 knew of the patent at that time; (c) A10 knew, or should have known, that the encouragement or instructions would result in infringement; and (d) the other person infringed the particular claim?

- |    |                             |           |             |
|----|-----------------------------|-----------|-------------|
| 1. | Claim 25 of the '500 patent | Yes _____ | No <u>X</u> |
| 2. | Claim 1 of the '195 patent  | Yes _____ | No <u>X</u> |

If your answer is "yes" for any of the claims in I.A or I.B, then answer Question I.C before moving on to Question I.D which you should also answer. If you answer is "no" to all of these questions in I.A and I.B, then skip to Question II.

## C. Willful Infringement

Has Brocade proven by clear and convincing evidence that A10 actually knew, or it was so obvious that they should have known, that their actions constituted infringement of one or more of the asserted patents?

1. Claim 25 of the '500 patent Yes \_\_\_\_\_ No X
2. Claim 13 of the '009 patent Yes \_\_\_\_\_ No X
3. Claim 24 of the '009 patent Yes \_\_\_\_\_ No X
4. Claim 1 of the '195 patent Yes \_\_\_\_\_ No X

## D. Patent Damages

If you have found any of the foregoing claims infringed, what damages do you find Brocade has proven it is more probable than not it has suffered as a result of that infringement?

1. Lost Profits: \$ 49,397,904
2. Reasonable Royalty
  - a. rate: 4%
  - b. total royalty damages: \$ 1,975,916
3. Total Damages: \$ 1,975,916

II. Copyright Infringement

A. Has Foundry proven it is more probable than not that A10 directly infringed with respect to the Aho-Corasick source code up through and including July 2011?

Yes X No \_\_\_\_\_

B. Has Foundry proven it is more probable than not that A10 directly infringed with respect to the Aho-Corasick source code after the rewrite process in July and early August 2011?

Yes \_\_\_\_\_ No X

C. Has Foundry proven it is more probable than not that A10 infringed by intermediate copying one or more of Foundry's copyrights during the development of the AX Series software?

Yes \_\_\_\_\_ No X

If your answer is "yes" for any of Questions II.A, II.B or II.C, then answer questions II.D and II.E. If your answer is "no" to all of Questions II.A, II.B and II.C, then skip to Question III.

D. If you have found any copyright infringed, what amount, if any, do you find that Foundry has proven it is more probable than not should be awarded as a result of that infringement?

\$ 60,000,000

E. Has Foundry proven it is more likely than not that A10 willfully infringed one or more of its copyrights? Yes \_\_\_\_\_ No X

### III. Trade Secret Misappropriation

A. Have Brocade and Foundry proven it is more probable than not that Ronald Szeto misappropriated one or more of the Alleged Trade Secrets?

TS 5 Yes \_\_\_\_\_ No X

TS 8 Yes \_\_\_\_\_ No X

TS 10 Yes \_\_\_\_\_ No X

TS 11 Yes \_\_\_\_\_ No X

B. Have Brocade and Foundry proven it is more probable than not that Steven Hwang misappropriated one or more trade secrets?

TS 5 Yes \_\_\_\_\_ No X

TS 8 Yes \_\_\_\_\_ No X

TS 10 Yes \_\_\_\_\_ No X

TS 11 Yes \_\_\_\_\_ No X

C. Have Brocade and Foundry proven it is more probable than not that Liang Han misappropriated one or more trade secrets?

TS 5	Yes _____	No <u>X</u> _____
TS 8	Yes _____	No <u>X</u> _____
TS 10	Yes _____	No <u>X</u> _____
TS 11	Yes _____	No <u>X</u> _____

D. Have Brocade and Foundry proven it is more probable than not that Lee Chen misappropriated one or more trade secrets?

TS 5	Yes _____	No <u>X</u> _____
TS 8	Yes _____	No <u>X</u> _____
TS 10	Yes _____	No <u>X</u> _____
TS 11	Yes _____	No <u>X</u> _____

E. Have Brocade and Foundry proven it is more probable than not that Rajkumar Jalan misappropriated one or more trade secrets?

TS 5	Yes _____	No <u>X</u> _____
TS 8	Yes _____	No <u>X</u> _____
TS 10	Yes _____	No <u>X</u> _____
TS 11	Yes _____	No <u>X</u> _____

F. Have Brocade and Foundry proven it is more probable than not that A10 misappropriated one or more trade secrets?

TS 5	Yes <u>X</u> _____	No _____
TS 8	Yes <u>X</u> _____	No _____
TS 10	Yes <u>X</u> _____	No _____
TS 11	Yes <u>X</u> _____	No _____

If you answer "yes" to any of the questions in III.A, III.B, III.C, III.D, III.E, or III.F, then answer III.G, III.H and III.I. If you answer "no" to all of the questions in III.A, III.B, III.C, III.D, III.E, and III.F, then skip to question IV.

G. Damages

If you have found any trade secret misappropriated by one or more of the defendants, what amount, if any, do you find that Brocade has proven it is more probable than not should be awarded as a result of that misappropriation?

\$ 1. —

H. Has Brocade proven by clear and convincing evidence that any of the defendants willfully misappropriated one or more trade secrets?

1.	Ronald Szeto:	Yes _____	No <u>X</u>
2.	Steven Hwang:	Yes _____	No <u>X</u>
3.	Liang Han:	Yes _____	No <u>X</u>
4.	Lee Chen:	Yes _____	No <u>X</u>
5.	Rajkumar Jalan:	Yes _____	No <u>X</u>
6.	A10:	Yes _____	No <u>X</u>

I. Has any defendant proven that Foundry's claim for trade secret misappropriation is barred by the statute of limitations?

1.	Ronald Szeto:	Yes _____	No <u>X</u>
2.	Steven Hwang:	Yes _____	No <u>X</u>
3.	Liang Han:	Yes _____	No <u>X</u>
4.	Lee Chen:	Yes _____	No <u>X</u>
5.	Rajkumar Jalan:	Yes _____	No <u>X</u>
6.	A10:	Yes _____	No <u>X</u>

IV. Breach of Contract

A. Has Foundry proven it is more probable than not that Lee Chen breached paragraph 7 of his Proprietary Information and Inventions Agreement with Foundry?

Yes \_\_\_\_\_ No X \_\_\_\_\_

If you answer "yes" to Question IV.A, then answer question IV.B. If you answer "no" to Question IV.A, then skip to Question V.

B. Damages

If you have found breach of contract by Lee Chen, what amount, if any, do you find that Foundry has proven it is more probable than not should be awarded as a result of that breach?

\$ \_\_\_\_\_

C. Has Lee Chen proven that Foundry's claim for breach of contract is barred by the statute of limitations? Yes \_\_\_\_\_ No \_\_\_\_\_

V. Intentional Interference with Contract

A. Has Foundry proven it is more probable than not that Lee Chen intentionally interfered with paragraph 7 of the Proprietary Information and Inventions Agreement between Foundry and Zhenwu He?

Yes X \_\_\_\_\_ No \_\_\_\_\_

B. Has Foundry proven it is more probable than not that A10 intentionally interfered with paragraph 7 of the Proprietary Information and Inventions Agreement between Foundry and Zhenwu He?

Yes X \_\_\_\_\_ No \_\_\_\_\_

If you answer "yes" to either V.A or V.B., then answer V.C, V.D and V.E. If you answer "no" to both V.A and V.B, then skip to the end of the verdict form, sign and date your verdict.

C. Damages

If you have found intentional interference with contract by Lee Chen or A10, what amount, if any, do you find that Foundry has proven it is more probable than not should be awarded as a result of that interference with contract?

\$ 1. —

D. Has Foundry proven by clear and convincing evidence that either Lee Chen or A10 acted with malice, oppression, despicable conduct or fraud in interfering with Foundry's contract with Zhenwu He?

1. Lee Chen: Yes X No         
2. A10: Yes X No       

E. If you answered yes as to any defendant with respect to question V.D, what amount of punitive damages do you find should be awarded as to such defendant?

1. Lee Chen: \$ 500,000.  
2. A10: \$ 500,000.

For the Jury:

By: Mary Casellas  
Foreperson

Date: August 6, 2012